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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/646,608      | 08/21/2003  | Charles E. Larson    | 108298502US2        | 9809             |

25096 7590 09/17/2004

PERKINS COIE LLP  
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SEATTLE, WA 98111-1247

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| EXAMINER |
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TOLEDO, FERNANDO L

|          |              |
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| ART UNIT | PAPER NUMBER |
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2823

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Interview Summary

**Application No.**

10/646,608

**Applicant(s)**

LARSON ET AL.

**Examiner**

Fernando L. Toledo

**Art Unit**

2823

All participants (applicant, applicant's representative, PTO personnel):

(1) Fernando L. Toledo.

(3) \_\_\_\_\_.

(2) David Dutcher.

(4) \_\_\_\_\_.

Date of Interview: 07 September 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 69.


Identification of prior art discussed: Prior Art of record.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
George Fourson  
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative argued that as the claim is, it clearly states that the first portion and the second portion are not separated and hence, the prior art used in the rejection, cannot be used together since the '755 reference is formed after the separation of the two portions. However, Examiner argued that the claim is open to be interpreted that the first portion and the second portion are already separated and that method limitations are irrelevant in device claims, because the claims specifically state a separation plane between the first and second portions. Applicant's representative declined to amend the claims to better state that the first portion and the second portion are not separated before forming the voids.